

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS  
LIABILITY LITIGATION

No. 2:15-MD-02641-DGC

This Document Relates to:  
Case No. 2:16-cv-01750-DGC

**SECOND AMENDED MASTER  
SHORT FORM COMPLAINT FOR  
DAMAGES FOR INDIVIDUAL  
CLAIMS AND DEMAND FOR JURY  
TRIAL**

Plaintiff(s) named below, for their Complaint against Defendants named below,  
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Edward St. John

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
consortium claim:

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
conservator):

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence  
at the time of implant:

Nebraska

1           5.     Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence  
2                 at the time of injury:

3                 Nebraska

4           6.     Plaintiff's current state(s) [if more than one Plaintiff] of residence:

5                 Nebraska

6           7.     District Court and Division in which venue would be proper absent direct  
7                 filing:

8                 United States District Court for the District of Nebraska

9           8.     Defendants (check Defendants against whom Complaint is made):

10            ☒     C. R. Bard Inc.

11            ☒     Bard Peripheral Vascular, Inc.

12           9.     Basis of Jurisdiction:

13            ☒     Diversity of Citizenship

14            ☐     Other: \_\_\_\_\_

15           a.     Other allegations of jurisdiction and venue not expressed in Master  
16                 Complaint:

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20           10.    Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making  
21                 a claim (Check applicable Inferior Vena Cava Filter(s)):

22            ☐     Recovery<sup>®</sup> Vena Cava Filter

23            ☐     G2<sup>®</sup> Vena Cava Filter

24            ☐     G2<sup>®</sup> Express Vena Cava Filter   [G2<sup>®</sup>X]

25            ☐     G2<sup>®</sup> X Vena Cava Filter

26            ☐     Eclipse<sup>®</sup> Vena Cava Filter

27            ☐     Meridian<sup>®</sup> Vena Cava Filter

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☒ Denali® Vena Cava Filter

☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

February 5, 2014

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

☒ Count XIII: Fraudulent Concealment

☒ Count XIV: Violations of Applicable Nebraska (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

☐ Count XV: Loss of Consortium

☐ Count XVI: Wrongful Death

☐ Count XVII: Survival

☒ Punitive Damages

☐ Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space immediately below)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Jury Trial demanded for all issues so triable?

☒ Yes

☐ No

RESPECTFULLY SUBMITTED this 6th day of June, 2016.

STUEVE SIEGEL HANSON LLP

By: /s/ Todd E. Hilton

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I hereby certify that on this 6th day of June, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Todd E. Hilton